

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC SAFETY

DATE: JANUARY 21, 2010

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS
 BENTLEY
 SOKOL
 GIRARD
 THOMAS
 CONOVER
 MCDEVITT

OTHERS PRESENT:

BUD YORK, SHERIFF
SHANE ROSS, CHIEF DEPUTY
BRIAN LAFLORE, DIRECTOR, OFFICE OF EMERGENCY SERVICES
FREDERICK MONROE, CHAIRMAN
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS BELDEN
 GOODSPEED
 LOEB
 MCCOY
 PITKIN
 STEC
 STRAINER
 TAYLOR
DON LEHMAN, *THE POST STAR*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. VanNess called the meeting of the Public Safety Committee to order at 9:30 a.m.

Motion was made by Mr. Girard, seconded by Mr. Bentley and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Sheriff York, who distributed copies of the agenda to the Committee members; a copy of which is on file with the minutes.

Sheriff York requested authorization for a contract with PoliceReport.US, LLC to provide accident report distribution services, commencing upon execution of the contract with no expiration date. Shane Ross, Chief Deputy, explained that PoliceReport.US, LLC was a company that sold various police reports to the general public, insurance companies, etc. He stated that the cost of each report was \$5, of which PoliceReport.US, LLC would collect \$3 and \$2 would be allocated to Warren County. He apprised that in 2009 there were 1,075 accident reports generated by the Warren County Sheriff's Office and they were anticipating an annual revenue of approximately \$2,000. He added that an additional benefit would be that the number of accident reports requested through the Central Records Office would be reduced.

Mr. Girard noted that the email that was sent to the Committee members from Sheriff York, detailing efforts to reduce spending, had been appreciated. Sheriff York stated that he would continue to send the Committee members emails of this nature as additional cost cutting measures were taken.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to authorize a contract with PoliceReport.US, LLC, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Sheriff York requested authorization for out-of-State travel for Investigator Terry Comeau to attend DEA (Drug Enforcement Agency) Basic Clan Lab School in Quantico, Virginia from January 25-29, 2010, using a County vehicle. He noted that all of the expenses for the training would be paid by the DEA.

Motion was made by Mr. Bentley, seconded by Mr. Thomas and carried unanimously to authorize out-of-State travel for Investigator Terry Comeau, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Sheriff York requested authorization for Patrol Officer Michael Wolfe to attend DARE (Drug Abuse Resistance Education) Officer's Training in Montour Falls, New York from February 1-12, 2010, using a County vehicle. He added that they would use asset seizure revenues to cover the cost of the training. Mr. VanNess explained for the benefit of the new Supervisors that asset seizure revenues, were funds that were seized through drug cases and could only be expended on training and narcotics enforcement.

Motion was made by Mr. Sokol, seconded by Mr. Bentley and carried unanimously to authorize Patrol Officer Wolfe to attend the training as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Sheriff York advised that New York State was reducing the amount of 911 Surcharge funds allotted to Warren County from \$34,388 to \$30,091 for 2009, a reduction of \$4,297. He explained that the funds were from the \$178 million in 911 Surcharges that were collected in 2008 to offset the cost of operating the 911 Centers. He said that of the \$178 million, New York State disbursed \$10 million to the counties to divide amongst themselves. He added that the remainder of the revenue was placed into New York State's General Fund to be used as they wanted. He advised that he was unsure of the amount of 911 Surcharge revenue generated in 2009 but he estimated that it was in excess of \$178 million.

Sheriff York apprised that there was a Sheriff on the 911 Board who was retiring and his seat would be vacant. He added that there was an effort to convince Governor Patterson to fill the vacant seat with another Sheriff and he noted that he was being considered. He said that letters had been written on his behalf by Kate Hogan, District Attorney and Congressman Murphy.

Mr. VanNess stated that the New York State budget showed that additional funds totaling \$50 million would be allocated to the 911 Centers. Sheriff York explained that the amount of revenues allotted to the 911 Centers had been stagnating and no one was making enough of an effort to correct the situation. He said that the Legislative

& Rules Committee had taken steps to have the issue addressed at NYSAC (New York State Association of Counties). Mr. VanNess stated that NYSAC would address the funds being paid back to the local 911 Centers at their upcoming Winter Conference.

Mr. Bentley stated that according to the law, the 911 Surcharges were to offset the cost of operating the 911 Centers. He added that the counties should investigate the possibility of a class action lawsuit. Sheriff York responded that there was a grey area in the law that allowed New York State to retain the revenues collected.

This concluded the Sheriff's portion of the Committee meeting and Sheriff York and Chief Deputy Ross exited the meeting at 9:39 a.m.

Privilege of the floor was extended to Brian LaFlure, Director of the Office of Emergency Services (OES), who distributed the agenda to the Committee members, a copy of which is on file with the minutes.

Returning to the discussion on 911 Surcharge revenues, Mr. LaFlure commented that the reason that the Federal government allowed the State to retain the funds, was because there was a \$40 million fine imposed by the Federal government for not properly allocating the funds. He explained that the State paid the \$40 million fine and was able to retain the remaining \$128 million, following the disbursement of \$10 million to the counties. Mr. VanNess agreed with Mr. Bentley that it was time to investigate the possibility of a class action lawsuit. He stated that he would discuss the possibility with the County Attorney. Mr. McDevitt voiced his opinion that the solution might be on the Federal level, as opposed to the State level. He advised that Congressman Murphy could introduce a resolution that would significantly increase the fines imposed on the states. Mr. VanNess suggested that there should be additional penalties to the State in addition to the fine.

Discussion ensued.

Mr. LaFlure stated that there had been no further progress on the Emergency Services Training Center (ESTC). He reported that they continued to work with Congressman Murphy, Senator Gillibrand and Senator Schumer to obtain appropriations from a Federal grant to assist with the cost of construction for the ESTC.

Messrs. Belden, Geraghty and Stec exited the meeting at 9:45 a.m.

Mr. LaFlure noted that they had applied for an extension for the \$400,000 grant from New York State. He said that the extension gave them until March 1, 2010 to begin construction. Mr. VanNess explained, for the benefit of the new Supervisors on the Committee, that the ESTC was a training center that would be constructed on the property of the Warren County Airport utilizing funds received through a New York State grant, which had awarded \$200,000 to Warren County and \$200,000 to Washington County. He added that Warren and Washington Counties had an agreement that they would each allocate \$50,000 per year into a Capital Project to offset the cost of construction. He advised that Warren County had contributed

\$50,000 in 2007 and 2008 but had not made a contribution for 2009 or 2010. He apprised that there were engineers and architects onboard for the construction of the ESTC.

Chairman Monroe entered the meeting at 9:46 a.m.

Mr. McDevitt asked if the facility would be utilized for HAZMAT (hazardous materials) Training and Mr. VanNess replied affirmatively. Mr. McDevitt asked if the City of Glens Falls was part of the ESTC and Mr. LaFlure responded that the final site for the ESTC had been chosen so that on-duty Glens Falls Firefighters could utilize the facility. He added that the facility would be used by Fire, EMS (Emergency Medical Services) and law enforcement personnel, as well as private organizations.

Mr. LaFlure stated that the developer for the new Wal-Mart site on Quaker Road in the Town of Queensbury wanted to work in conjunction with the County for the construction of a connector road between Quaker Road and County Line Road. He added that if a connector road was constructed then the County would be able to use less of the grant funding for infrastructure. Mr. VanNess said that the intent was to get the private sector involved in the project to help offset the cost of upkeep and maintenance of the facility. Mr. McDevitt questioned the timeline for completion of the connector road and Mr. LaFlure replied that the timeline was unknown but added that the Wal-Mart project was close to breaking ground. Mr. LaFlure continued that there was a 60 acre parcel between the Wal-Mart parcel and the Warren County Airport. Mr. VanNess advised that the grant required that the project commence prior to 2011.

Mr. LaFlure questioned the possibility of using the vacant former Department of Social Services (DSS) Building as a temporary training site. He advised that they would like to use the DSS Building if the County planned to eventually demolish it. Mr. VanNess said that the matter could be referred to the County Facilities Committee for discussion. Mr. LaFlure noted that they were currently using the buildings on the Gaslight Village property; however, he added, if those buildings were to be demolished, it would be preferable if there was an alternate location previously determined. Mr. Sokol questioned the insurance needs and Mr. VanNess replied that the County would need a Memorandum of Understanding with the individual organizations that would utilize the property. Mr. LaFlure noted that the required documentation was already in place for the Gaslight Village property and it was merely a matter of changing the location.

Mr. LaFlure explained that each year for the last 20 years, Warren County had allocated funds to the Lake George and Horicon Scuba (Self Contained Underwater Breathing Apparatus) Rescue Teams to provide scuba rescue services to the entire County. He advised that last summer there had been an issue with the Lake George Fire Department Scuba Rescue Team, who had been unable to produce enough qualified divers for a particular incident. He added that the Chief of the Lake George Fire Department had spoken with him about the issue. He apprised that significant cost and time was necessary to train and maintain divers. He added that it cost approximately \$5,000 to equip each diver. He stated that they had issued a request

to all the Fire Departments in Warren County to determine if any of the firefighters were interested in training for the Lake George Scuba Rescue Team and the response had been positive. He advised that 9 new divers from 2 Fire Departments had been fully trained in 2 months, as opposed to 18 months. He added that in the last four months they had nearly doubled the number of certified rescue divers and they had joined forces with the Warren County Sheriff's Dive Unit.

Mr. LaFlure requested authorization to extend the current contracts with the Lake George Volunteer Fire Department, Lake George Scuba Rescue Team and the Horicon Volunteer Fire Department, Horicon Scuba Rescue Team, commencing January 1, 2010 and terminating December 31, 2010, for a lump sum amount of \$6,305 per team.

Motion was made by Mr. Bentley, seconded by Mr. McDevitt and carried unanimously to extend the current contracts with the Lake George and Horicon Volunteer Fire Department Scuba Rescue Teams, as outlined above. *Copies of the resolution request forms are on file with the minutes and the necessary resolutions were authorized for the February 19, 2010 Board meeting.*

Mr. LaFlure requested to amend the 2010 County budget to increase estimated revenues and appropriations in the amount of \$109,500 to reflect the receipt of New York State Homeland Security grant funding.

Motion was made by Mr. Girard, seconded by Mr. Thomas and carried unanimously to amend the 2010 County budget as outlined above and to forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Mr. LaFlure requested authorization for Amy Manney, Deputy Director of the Office of Emergency Services and himself to attend the NYSEMA (New York State Emergency Management Association) Conference in Syracuse, New York from February 9-11, 2010, using a County vehicle.

Motion was made by Mr. Bentley, seconded by Mr. Sokol and carried unanimously to authorize Ms. Manney and Mr. LaFlure to attend the NYSEMA Conference, as outlined above. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

Mr. LaFlure requested to reappoint various members to the EMS Advisory Board, commencing January 1, 2010 and terminating December 31, 2010. He reviewed the list of the members, a copy of which is on file with the minutes.

Motion was made by Mr. Sokol, seconded by Mr. Thomas and carried unanimously to reappoint members to the EMS Advisory Board, as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the February 19, 2010 Board meeting.*

Mr. LaFlure stated that there was a pending item for the appointment of a Hazard Mitigation Officer. He said that Chairman Monroe, Mr. VanNess and representatives

from the OES, the Department of Public Works and the Planning & Community Development Department had not scheduled a meeting yet to discuss the details. Mr. VanNess noted that a Hazard Mitigation Officer was necessary to act as the key contact person and that the issue had been passed from Committee to Committee with no conclusion. Joan Sady, Clerk of the Board, advised that a group could be developed and a meeting scheduled to determine the details for the position. Mr. LaFlure explained that the Hazard Mitigation Officer would develop a list of areas that could become an issue in the County in the event of an emergency. Mr. Taylor requested that he be part of the discussion group. Mr. LaFlure said that the Hazard Mitigation Plan was being developed by an outside contractor utilizing grant funding.

Mr. LaFlure referred to the pending item to research charging a fee for investigative reports. He said that copies of the reports were requested by insurance companies or other investigators. He stated that he had researched the fees charged by other counties and the typical fee was \$25 per copy. He added that they would provide the insurance company with a copy of the documentation, the findings and a CD that included any pictures that were taken. He advised that he would like to consult with the County Attorney to determine what paperwork would be required in order to charge the fee for the reports. Mr. VanNess voiced his opinion that a fee of \$25 was low and that it used to be \$5 per picture. Mr. LaFlure noted that they already made a copy for the local Fire Department and the fee was merely to offset the cost of the materials.

Mr. VanNess stated that the County had been looking for an appropriate place to store the HAZMAT trailer and tow vehicle and he asked if a location had been determined. Mr. LaFlure responded that the trailer was stored at the South Queensbury Fire House and the tow vehicle was stored at the Broad Street Fire House. Mr. VanNess said that he had received a phone call pertaining to a possible location to store the HAZMAT trailer and tow vehicle and possibly the generator and medical trailers, as well. He added that he would get more details and inform the Committee at a later date. Mr. LaFlure apprised that once the ESTC was constructed it would include space for the storage of the trailers.

As there was no further business to come before the Public Safety Committee, on motion made by Mr. Bentley and seconded by Mr. McDevitt, Mr. VanNess adjourned the meeting at 10:09 a.m.

Respectfully Submitted,
Charlene DiResta, Sr. Legislative Office Specialist